

Code, the election officer shall provide to the voter the form of the affidavit required by this section. The election officer must receive a completed affidavit before marking the voter as accepted under Section 63.001(e), Election Code. If the voter does not submit a completed affidavit to the election officer or the information stated on the affidavit demonstrates the voter is not a qualified voter as provided by this section, the voter may be accepted only to vote provisionally under Section 63.011, Election Code.

(d) The district shall submit original or certified copies of voter affidavits to the office of the attorney general in a transcript of the proceedings of the confirmation election.

(e) The office of the attorney general shall prescribe the form of the voter affidavit.

(f) The voter affidavit must require the voter to state under oath:

(1) the address of the voter and that the voter resides in the territory of the district;

(2) the date the voter changed the voter's residence to the address provided under Subdivision (1); and

(3) that the voter, to the best of the voter's knowledge, believes that the voter's registration is effective on the date of the election.

(g) The affidavit must include the following statement: "I am not a developer of property in the district, related within the third degree of affinity or consanguinity to a developer of property in the district, or an employee of a developer of property in the district. I have not received monetary consideration from a developer of property in the district for my vote in this election."

(h) Compliance with this section or the validity of a voter affidavit may only be challenged in an election contest under Title 14, Election Code.

SECTION 2. This Act takes effect January 1, 2018.

Passed by the House on May 9, 2017: Yeas 143, Nays 2, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 2358 on May 26, 2017: Yeas 138, Nays 5, 2 present, not voting; passed by the Senate, with amendments, on May 24, 2017: Yeas 30, Nays 1.

Approved June 15, 2017.

Effective January 1, 2018.

## MUNICIPAL FEES CHARGED TO PUBLIC SCHOOL DISTRICTS FOR WATER AND SEWER SERVICE

### CHAPTER 849

H.B. No. 2369

#### AN ACT

**relating to municipal fees charged to public school districts for water and sewer service.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. The legislature finds that the imposition of fees for water service that are based on the number of students or employees of a public school district diverts to other purposes money appropriated in accordance with Section 1, Article VII, Texas Constitution, for the education of students. For that reason, the imposition of fees on those bases by a political subdivision violates the Texas Constitution.

SECTION 2. The heading to Section 13.044, Water Code, is amended to read as follows:

Sec. 13.044. RATES CHARGED BY MUNICIPALITY TO CERTAIN SPECIAL DISTRICTS [DISTRICT].

SECTION 3. Subchapter C, Chapter 13, Water Code, is amended by adding Section

13.0441 to read as follows:

*Sec. 13.0441. FEES CHARGED BY MUNICIPALITY TO PUBLIC SCHOOL DISTRICTS. (a) This section applies only to fees charged by a municipality for water or sewer service to a public school district.*

*(b) Notwithstanding the provisions of a resolution, ordinance, or agreement, a public school district charged a fee that violates Section 13.088 may appeal the charge by filing a petition with the utility commission. The utility commission shall hear the appeal de novo, and the municipality charging the fee has the burden of proof to establish that the fee complies with Section 13.088. The utility commission shall fix the fees to be charged by the municipality in accordance with this chapter, including Section 13.088.*

SECTION 4. Subchapter D, Chapter 13, Water Code, is amended by adding Section 13.088 to read as follows:

*Sec. 13.088. MUNICIPAL FEES FOR PUBLIC SCHOOL DISTRICTS. A municipally owned utility that provides retail water or sewer utility service to a public school district may not charge the district a fee based on the number of district students or employees in addition to the rates the utility charges the district for the service.*

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 4, 2017: Yeas 145, Nays 0, 2 present, not voting; passed by the Senate on May 23, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective June 15, 2017.

## CERTAIN IDENTIFYING INFORMATION REGARDING CAREER SCHOOL OR COLLEGE STUDENTS

### CHAPTER 850

H.B. No. 2413

#### AN ACT

**relating to certain identifying information regarding career school or college students.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 132.024(a)(2), Education Code, is amended to read as follows:

(2) "Student information" means identifying information ~~[in the commission's possession]~~ regarding a student *that is in the possession of the commission, a career school or college, or any other school, educational institution, or business entity from which the commission receives, or regarding which the commission reviews, information through its administration or enforcement of this chapter.* The term includes:

(A) a student's name, address, telephone number, social security number, e-mail address, or date of birth;

(B) any other identifying number or other information that foreseeably could be combined with other publicly available information to reveal identifying information regarding the student; and

(C) a student's education records, as defined by 34 C.F.R. Section 99.3.

SECTION 2. Section 132.024(c), Education Code, is amended to read as follows:

(c) Unless permitted by Subchapter F, Chapter 301, Labor Code, 34 C.F.R. Part 99, Subpart D, or commission rule, a person commits an offense if the person solicits,